IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2800 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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THARA DEVELOPMENT BOARD - Petitioner(s)
Versus
STATE BANK OF INDIA & 4 - Respondent(s)

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Appearance :
MR VC VAGHELA for Petitioner(s) : 1,
MR UDAY R BHATT for Respondent(s) : 1 - 2.
MR SB VAKIL, SR. ADVOCATE WITH MR HV CHHATRAPATI for Respondent 3,
RULE SERVED for Respondent(s) : 4 - 5.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 14/09/2007

ORAL JUDGMENT

The petitioner is a voluntary organization. In the present petition, the petitioner complains

regarding the State Bank of India, respondent No.2 herein not making the facility of currency chest and small coin depot available at its branch at Thara.

2. It is the case of the petitioner that on account of said facility not being made available, the residents and traders of Thara suffer inconvenience inasmuch as it is not possible to withdraw or to receive payment of larger amount of bank drafts. It is stated that number of representations were made to respondent No.2 despite which the grievance of the petitioner in this regard was not redressed.

3. Though learned advocate for the petitioner submitted that respondent No.2 did not provide for the said facility since Thara town is situated at a distance of less than 80 k.m. from international border and that the policy of the Reserve Bank of India did not permit providing for currency chest under such circumstances without police protection, learned senior advocate Shri S.B.Vakil for the Reserve Bank of India appearing with Shri Chhatrapati submitted that at the relevant time, when the Bank had approached the RBI, the RBI had given its approval upon certain terms and conditions. He, however, pointed out that it is respondent No.2 Bank which had not created the facility within the time permitted.

4. The role of the Court in examining the question is, for obvious reasons, very limited. It is

substantially respondent No.2 itself which can decide its own policy and create such policy as found appropriate and necessary. However, if the grievances of the petitioner and other residents of Thara are found to be genuine, I am sure, respondent No.2 Bank will take into account all relevant aspects of the matter and take a just decision in this behalf.

5. With the above observations, the petition is disposed of permitting the petitioner to make a fresh representation to respondent No.2 Bank and if such representation is received within a period of four weeks from today, respondent No.2 shall dispose of the same as expeditiously as possible and preferably within four months of its receipt.

6. With these observations and directions, the petition is disposed of. Rule is discharged with no order as to costs.

(Akil Kureshi, J.)

(vjn)